

Serial No. 10/055,194
Amdt. dated October 12, 2004
Reply to Office Action of June 14, 2004

Attorney Docket No. PF02194NA

REMARKS/ARGUMENTS

Claims 1 through 35 remain in this application. Claim 1 has been amended to correct an innocuous, typographical error.

Claims 1 through 35 are rejected under 35 U.S.C. §102(c) as being anticipated by U.S. Patent No. 6,301,609 to Aravamudan, et al. ("Aravamudan, et al. patent").

Claim 1 provides, *inter alia*, gathering device operating information including resource information associated with the first device and transmitting the device operating information to a second device, and claims 9 and 22 provide, *inter alia*, similar language. Likewise, claim 17 provides, *inter alia*, gathering device operating information including resource information associated with the first device and generating on the second device an indication to the user of the second device based on the device operating information associated with the first device. It is important to note that the resource information is one type of device resource information and, thus, the resource information relates to *an operation of the device*.

In contrast, the Aravamudan, et al. patent does not describe or suggest gathering and transmitting resource information relating to an operation of the device, as required by claims 1, 9 and 22, and the Aravamudan, et al. patent does not describe or suggest gathering resource information relating to an operation of the device and generating an indication, as required by claim 17. The Aravamudan, et al. patent describes an instant messaging system having a database for storing information *relating to a user*, such as phone numbers, IP addresses and buddy lists. The Aravamudan, et al. patent does not describe or suggest the resource information

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relating to *an operation of the device*, as required by claims 1, 9, 17 and 22. Therefore, claims 1, 9, 17 and 22 distinguish patentably from the Aravamudan, et al. patent.

Claims 2 through 8, 10 through 16, 18 through 21 and 23 through 32 depend from and include all limitations of independent claims 1, 9, 17 and 22. Therefore, claims 2 through 8, 10 through 16, 18 through 21 and 23 through 32 distinguish patentably from the Aravamudan, et al. patent for the reasons stated above for independent claims 1, 9, 17 and 22.

Claims 5, 14, 19 and 26 further distinguish from the Aravamudan, et al. patent. In particular, claims 5, 14, 19 and 26 provide that the resource information is associated with at least one of bandwidth, display capability, input capability, link type, link cost, device type, latency and power of the first device. In contrast, the Aravamudan, et al. patent describes an instant messaging system having a database for storing user related information, such as phone numbers, IP addresses and buddy lists. The Aravamudan, et al. patent does not describe or suggest providing resource information associated with at least one of bandwidth, display capability, input capability, link type, link cost, device type, latency and power of the first device, as required by claims 5, 14, 19 and 26. Therefore, claims 5, 14, 19 and 26 distinguish patentably from the Aravamudan, et al. patent.

Claims 33 through 35 provide, *inter alia*, gathering operating mode information associated with the first device in which the operating mode includes a private mode and/or a call mode. The Aravamudan, et al. patent does not describe or suggest gathering operating mode information associated with the first device in which the operating mode includes a private mode

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and/or a call mode, as required by claims 33 through 35. Therefore, claims 33 through 35 distinguish patentably from the Aravamudan, et al. patent.

In view of the above, reconsideration and withdrawal of the rejection of claims 1 through 35 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any

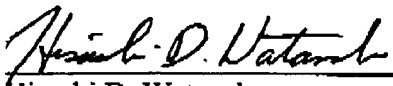
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questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
Phillips, Garland, et al.

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